

Notice of Allowability

Application No.

10/692,274

Examiner

Joe H. Cheng

Applicant(s)

HO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Preliminary Amendment filed 9/9/04.
2. ☒ The allowed claim(s) is/are 46-58 and 70-84.
3. ☒ The drawings filed on 22 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7/13/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Application's submission filed on September 9, 2004 has been entered.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Peter P. Tong (applicant's attorney) on February 7, 2005.

4. The application has been amended as follows:

In the claims:

Claim 58, line 1, change "computer readable medium" to --computer program embodied in a tangible medium--.

Claim 70, line 3, change "tracking a learning activity pf a user;" to --retrieving materials related to a user;

Tracking a learning activity of the user, using the material retrieved;--.

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Slomski (U.S. Pat. No. 4,006,539) - note Figs. 1-3;

Collins et al (U.S. Pat. No. 5,577,919) - note Figs. 1-8;

Stewart et al (U.S. Pat. No. 6,053,739) - note Figs. 1-26;

Brown et al (U.S. Pat. No. 6,186,794 B1) - note Figs. 1-23.

6. The following is an examiner's statement of reasons for allowance:

None of the prior art of record shows the combination of the structure of the claimed computer-implemented learning method comprising the steps of retrieving by a first computer materials related to the user; permitting by the computer the user to access materials regarding a learning user if the user is an institute user as determined based on an identifier of the user; permitting a learning user to access materials for learning; monitoring at least one of the users and updating materials on the user based on the monitoring; becoming aware of a learning user's understanding in an area; allowing a learning user to access materials on a product of the institute user to learn about the product; and keeping track of the fact that the learning user has accessed materials related to the product if the learning user has accessed such materials, so as to allow such information to be available to the institute user; wherein at least some of the materials accessed can be retrieved by a user from another computer which can be connected to the first computer through a network; the institute user is charged; and based on the charging, a learning user is allowing to access materials for learning and the institute user is allowed to access materials regarding a learning user (as per claims 46-57); or the claimed computer program embodied in a tangible medium containing a plurality of instructions for learning, the plurality of

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instructions when executed by a computer resulting in the computer: retrieving materials related to a user; permitting the user to access materials regarding a learning user if the user is an institute user as determined based on an identifier of the user; permitting a learning user to access materials for learning; monitoring at least one of the users, and updating materials on the user based on the monitoring; becoming aware of a learning user's understanding in an area; allowing a learning user to access materials on a product of the institute user to learn about the product; and keeping track of the fact that the learning user has accessed materials related to the product if the learning user has accessed such materials, so as to allow such information to be available to the institute user; wherein at least some of the materials accessed can be retrieved by a user from another computer which can be connected to the computer through a network; the institute user is charged; and based on the charging, a learning user is allowing to access materials for learning and the institute user is allowed to access materials regarding a learning user (as per claim 58); or the claimed computer-implemented method for managing learning activities comprising retrieving materials related to a user; tracking a learning activity of the user using the materials retrieved; becoming aware of the understanding of the user in an area that is related to a learning activity of the user that is tracked; receiving a request from an enterprise to access a report corresponding to a learning activity of the user; determining whether the enterprise could access such report; and responsive to determining that the enterprise could access such report, transmitting at least a portion of such report to the enterprise; wherein the enterprise is charged; based on the charge the user is allowed to be involved in a learning activity and the enterprise is allowed to access a report regarding a learning activity of the user; wherein the method is implemented in a network environment; a learning activity for the user is on the learning about a

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service offered by the enterprise; if the user has been involved in the learning activity to learn about the service offered by the enterprise, the method further comprised keeping track of the fact that the user has been involved in such activity, so as to allow such information to be available to the enterprise (as per claims 70-84).

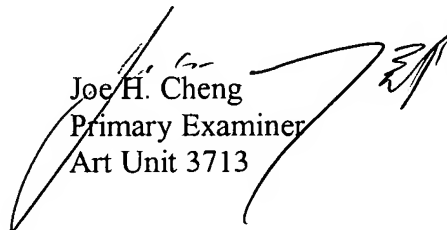
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe H. Cheng whose telephone number is (571)272-4433. The examiner can normally be reached on Tue. - Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571)272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joe H. Cheng
February 7, 2005


Joe H. Cheng
Primary Examiner
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